



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

# Order

Subject

---

**MOTOR CARRIER SAFETY MANUAL**

Classification Code

Date

M 7000.6, Chg. 1

July 17, 1987

---

1. MATERIAL TRANSMITTED

- a. Volume 4 - Motor Carrier Safety Assistance Program
- b. Table of Contents for Volume 4

2. COMMENTS

- a. This transmittal is comprised of material prescribing or establishing policy, procedures, standards, requirements, and guidelines for the use of the Office of Motor Carriers Headquarters and field staff in carrying out the Motor Carrier Safety Assistance Program.
- b. Volume 4 is comprised of 2 Chapters.
- c. The Motor Carrier Safety Manual supersedes any portion of the Motor Carrier Safety Training Text, memoranda, or instructions which are in conflict.
- d. This material will be amended at a later date to reflect the new field titles, procedures for application for discretionary funds, and responsibilities for technical review being assigned to the Regions.

*for John O. Hillis*  
R. P. Landis  
Associate Administrator  
for Motor Carriers

---

DISTRIBUTION:

Special: Headquarters  
Regions  
Divisions

OPI:  
HFO-20





U.S. Department  
of Transportation  
Federal Highway  
Administration

# Motor Carrier Safety Manual

---

Volume 4 MOTOR CARRIER SAFETY  
ASSISTANCE PROGRAM

---

## TABLE OF CONTENTS

---

M 7000.6  
CHG. 1  
July 17, 1987

### Chapter

1. Guidelines for Administration of the MCSAP
2. MCSAP Preprogram Planning Review Process





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

# Motor Carrier Safety Manual

---

Volume	4	MOTOR CARRIER SAFETY ASSISTANCE PROGRAM (MCSAP)
Chapter	1	GUIDELINES FOR ADMINISTRATION OF THE MCSAP

---

M 7000.6  
CHG. 1  
July 17, 1987

- Par. 1. Purpose  
2. Authority  
3. Definitions  
4. Grant Application Submission  
5. Program Guidance and Training  
6. Reporting Requirements  
7. Program Monitoring  
8. Program Evaluation  
9. Reimbursement and Financial Recordkeeping

1. PURPOSE. To establish guidelines for the uniform administration of regulations applicable to States participating in the Motor Carrier Safety Assistance Program (MCSAP) and to the Federal Program Managers.

2. AUTHORITY

a. The Surface Transportation Assistance Act of 1982 (STAA), Sections 401-404, (49 U.S.C. app. Sections 2301-2304, (1982 and Supp. III 1985)) authorizes the Secretary of Transportation to make grants to States for the development or implementation of commercial motor carrier safety programs. The Commercial Motor Vehicle Safety Act (CMVSA) of 1986 (Public Law 99-570) reauthorized and strengthened the program.

b. Pursuant to the provisions of the STAA, the Federal Highway Administration (FHWA) issued regulations implementing the provisions of the STAA which are codified in 49 CFR 350.

3. DEFINITIONS. As used in this chapter, the following words and phrases mean:

- a. Administrator - the Federal Highway Administrator.
- b. Base level program - that State effort funded entirely by State monies and based on historical or estimated average cost data of the State's motor carrier safety enforcement effort from the 2 fiscal years prior to January 1983.
- c. Basic distribution - only those Federal funds specified in the distribution formula, or the specified minimum funding level.
- d. Commercial motor vehicle - any self-propelled or towed vehicle used on the highways in commerce principally to transport passengers or cargo:
  - (1) if such vehicle has a gross vehicle weight rating of ten thousand or more pounds;
  - (2) if such vehicle is designed to transport more than ten passengers, including the driver; or
  - (3) if such vehicle is used in the transportation of materials found by the Secretary of Transportation to be hazardous for the purpose of the Hazardous Materials Transportation Act, as amended (49 U.S.C. app. 1801-1813, (1982 and Supp. III 1985)).
- e. Development - the acts of a State in preparing to qualify for or make application for an implementation grant, which acts include, but are not limited to:
  - (1) planning the program;
  - (2) initiating any legislative or regulatory actions necessary to comply with applicable requirements;
  - (3) formulating a budget for the program;
  - (4) designating the State agency responsible for administering the program; and

- (5) preparing a State Enforcement Plan (SEP).
- f. Enhancement - the motor carrier safety effort that is funded through the MCSAP in excess of the State's base level of effort.
- g. Federal share - that portion of the enhanced State enforcement program funded with Federal money which cannot exceed 80 percent of the total enhanced program (except for Guam, the Commonwealth of Northern Marianas, the Virgin Islands, and American Samoa that are provided a waiver, upon request, of a State matching share).
- h. Implementation - the acts of a State in carrying out an approved SEP, which include, but are not limited to:
- (1) recruiting and training of personnel, payment of salaries and fringe benefits, the acquisition and maintenance of equipment, and reasonable overhead costs needed to operate the program;
  - (2) commencement and conduct of new or expanded systems of inspection;
  - (3) establishment of an effective "out-of-service" and compliance enforcement system; and
  - (4) retraining and replacing staff and equipment.
- i. Motor carrier - a for-hire carrier of passengers or property by motor vehicle and a private carrier of property by motor vehicle.
- j. Motor Carrier Safety Assistance Program (MCSAP) - a safety effort authorized by Section 402 of the STAA to provide grants to States to develop or implement programs for the enforcement of Federal or compatible State rules, regulations, standards, and orders applicable to commercial motor vehicle safety.
- k. Program Manager - the person in the division office responsible for the MCSAP in a State, normally the Officer-in-Charge, Office of Motor Carrier Safety.

1. State - a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, or the Commonwealth of the Northern Marianas.
  - m. State share - that portion of the enhanced State enforcement program not funded with Federal money.
4. GRANT APPLICATION SUBMISSION. The FHWA will reserve decision on the distribution of funds until all applications have been received and a determination made on the status of those applications as either implementation or development. An extension of a grant application submission beyond the August 1 deadline may be granted in writing by the Regional Director of Motor Carrier Safety (RDMCS).
- a. Filing Application
    - (1) The application by the State is to be filed with the FHWA MCSAP Program Manager in the division office where such State is located. The Program Manager shall indicate the date of receipt.
    - (2) Each application shall be accompanied by:
      - (a) a development plan for a development grant; or
      - (b) an SEP, including a Certification of Compliance, for an implementation grant.
    - (3) The MCSAP Program Manager shall provide necessary assistance to the State in preparing the application.
  - b. Review Procedures
    - (1) The Program Manager shall:
      - (a) review the application to ensure that it is properly completed, filed on time, and contains all required attachments;



- (b) complete a technical evaluation and an analysis;
  - (c) return an incomplete or unacceptable application to the State agency submitting it with suggestions or recommendations in writing on revisions to be made, requirements to be met, or additional material to be submitted;
  - (d) through consultation and after the RDMCS has determined whether good cause exists, accept a late application, provided notice of intent to file an application is received prior to the applicable cut-off date and application is filed within the applicable extension period; and
  - (e) forward properly completed and timely filed applications with evaluation results, comments, and recommendations to the regional office within 10 working days after receipt at the division office.
- (2) The State Programs Coordinator shall be responsible for an administrative and technical review of the application and division comments to assure consistency with regional objectives, and uniformity and compatibility with the plans of other States within the region.

c. Grant Agreements

- (1) Upon completion of the review of the State application, the regional office shall apprise the Program Manager, who shall immediately commence final negotiations with the State. A grant agreement (Form MCSAP-2) shall be executed by the authorized FHWA official and the designated State official upon satisfactory resolution of the issues raised by the regional office. The Program Manager shall obtain satisfactory documentation of the resolution of these

issues. In appropriate cases, the Program Manager shall negotiate amendments to the grant agreement to satisfy conditions established by the regional office.

- (2) Following the execution of the grant agreement, the Program Manager shall promptly forward to the regional office, which promptly forwards to Washington Headquarters, a copy of the executed grant agreement with any SEP revisions and a record of all negotiations conducted between the FHWA and the State. The agreement shall be forwarded to the Washington Headquarters within 15 days after it is signed.

5. PROGRAM GUIDANCE AND TRAINING

- a. The Program Manager shall assist the State in drafting the State plan if requested to do so, and shall cooperate with the State in a manner consistent with program objectives.
- b. The State Programs Coordinator shall provide oversight and technical assistance to the Program Manager in connection with the preparation, award, and administration of the State plan. The State Programs Coordinator shall coordinate the training needs of the States in the region to the extent they may require Federal involvement. The State Programs Coordinator may provide direct training by regional or division motor carrier safety personnel, or assist the State in arranging for training by other Department of Transportation central training services or the services of other Federal agencies. Every effort shall be made by the State Programs Coordinator to schedule training activities to maximize the services of FHWA personnel and to ensure consistency of the subject matter. It is the responsibility of the State Programs Coordinator to try to ensure uniformity of training when only State resources or outside training facilities are employed.

- c. Washington Headquarters shall coordinate central training programs for general application or in response to requests from the regional office, and shall issue program information and technical advisories as appropriate.
- d. All training provided to States in furtherance of MCSAP objectives shall be consistent with the established procedures and/or national directives.
- e. To achieve uniformity, the FHWA has established a uniform roadside inspection procedure and driver and vehicle out-of-service criteria to be used by the grantee State. Copies of the procedure and criteria are available from the division offices. Any deviation from this established criteria shall be approved by the division office in writing prior to approval of the grant and shall be identified separately for cost accounting and reporting purposes. A justification for deviation from the uniform policy and a determination of cost eligibility shall be prepared for the Washington Headquarters.
- f. The FHWA has published recommended general guidelines for the use of a grantee State in conducting a safety management audit at a carrier's terminal or at its principal place of business. Copies of these guidelines are available from the division offices. Further guidance for handling administrative and cost matters under the program are outlined in OMB Circulars A-102, "Uniform Requirements for Assistance to State and Local Governments," and A-87, "Cost Principles for State and Local Governments," respectively. In some instances, provisions of OMB Circulars A-102 and A-87 are implemented by DOT Orders 4600.9B, "Uniform Administrative Requirements for Grant-in-Aid to State and Local Governments," dated May 8, 1978, and 4600.11A, "Principles for Determining Cost Applicable to Grants and Contracts with State and Local Governments," dated September 9, 1982.

6. REPORTING REQUIREMENTS

- a. All significant activities performed by State personnel, in accordance with the State plan, shall be summarized and submitted to the FHWA division office quarterly, until such time as MCSAP data may be automated. A State in the development phase shall report on actions initiated or completed as required by 49 CFR 350.9. The FHWA Form MCSAP-3, Quarterly Report, or a narrative quarterly report for development States, must be filed with the FHWA division office in the State not later than 30 days after the end of each quarter. The quarters should correspond with the State program year which in turn is based upon the Federal fiscal year. Consequently, the first quarter would end on December 31, the second on March 31, etc. Use of FHWA Form MCSAP-3 by States will ensure uniform standardization of data for analysis. Under RESOURCES USED - Funds: It is suggested the "Salaries" figure be broken down into two items, "Inspection" and "Other." This would permit the region or the Washington Headquarters to compare results on a uniform nationwide basis.
- b. Reports shall address data that pertain to the MCSAP enhancement (includes State and Federal shares), however, reports should not include data on total State efforts (base year activity) unless requested by the Program Manager. In those cases where base year data and information is requested, the data should be clearly segregated and identified.
- c. In addition to the quarterly activity report, a recordkeeping system shall be adopted by the State which includes or provides access to routine budgetary and financial elements. Implementation States shall maintain annual MCSAP work programs and tracking data corresponding to the SEP, carrier information, hazardous materials movements, and accident/incident data. The accident/incident data shall enable the State to maintain statistics on an annual basis with respect to the number of accidents involving commercial motor carriers, as well as fatalities, injuries, and

property damage involved, and the preventability of the accidents. The accident/incident reporting criteria shall be consistent with or adaptable for use in annual evaluation reports.

- d. By August 1 of each year, each State shall submit an annual evaluation report based on its performance during the first three quarters. The report shall evaluate the accomplishments of the development plan or the effectiveness of its SEP in reaching the stated objectives in terms of improvement in the motor carrier safety problems identified, and in terms of the use of resources and completion of projected work units. The State may combine this self-evaluation report with its application and State plan for the following year. The evaluation report may also be used to support changes in the State plan from one program year to the next.

#### 7. PROGRAM MONITORING

- a. The Program Manager is responsible for ensuring that the State complies with the State plan.
- b. The Program Manager shall prepare a detailed narrative plan for monitoring State performance which prescribes the planned and anticipated monitoring activities that will be employed in the Federal process. However, these plans are general in nature and each State will be unique and have special problem areas. In these instances, the Program Manager shall prepare the appropriate monitoring elements. A copy of the plan shall be submitted to Washington Headquarters after approval by the regional office within 30 calendar days after grant award.
- c. The Program Manager shall obtain a narrative quarterly report and/or the FHWA Form MCSAP-3, Quarterly Report, from the State. Upon receipt of the report, the Program Manager shall review the information contained and forward it, together with any assessment of the effectiveness of the current State program, to the regional office.

- d. The State Programs Coordinator is responsible for ensuring coordination of regional enforcement efforts, uniform conduct of activities by the States in the region, and consistent application of regulations and program requirements. The State Programs Coordinator shall review all State quarterly activity reports and the corresponding reports submitted by the Program Manager for this purpose. Both quarterly reports shall be forwarded with comments, recommendations, and inquiries to Washington Headquarters.
  - e. The Washington Headquarters is responsible for overall program policy and direction and for ensuring that monitoring and evaluation procedures by division and regional offices are sufficient to provide information necessary to measure program effectiveness. The Washington Headquarters shall review the State quarterly reports and the corresponding reports of the Program Manager with regional enforcement and comments, record the data as appropriate, determine the value of the data submitted in evaluating program effectiveness, and modify reporting requirements as indicated.
8. PROGRAM EVALUATION. The State's application shall include a self-evaluation report on the effectiveness of its prior year's plan in reaching the stated objectives. The State shall be advised of the appraisal of the evaluation by the Program Manager and of any needed revisions whether in the plan itself or in meeting its intended objectives.
9. REIMBURSEMENT AND FINANCIAL RECORDKEEPING
- a. Funds are allocated for the State by the Washington Headquarters based on the State's application. Funds may then be obligated by execution of the Grant Agreement. The data will be entered into FHWA's Fiscal Management Information System. Any funds not obligated within a reasonable time are subject to deallocation by the Washington Headquarters. The Program Manager will be advised prior to any deallocation of funds. The Program Manager will then advise the State of funds being deallocated.

- b. A State may request periodic reimbursement for the Federal share of costs incurred for a project. The request shall be in the form of a voucher and shall be certified and accompanied by supporting data as discussed herein.
- c. All claims by a State for the Federal share of project costs are to be made on FHWA Form PR-20, "Voucher for Work Performed under Provisions of the Federal-Aid and Federal Highway Acts, as amended." These vouchers are submitted to the FHWA division office for reimbursement of the Federal share of costs incurred in accordance with the approved State plan, provided:
  - (1) the costs are incurred subsequent to the agreement date, unless preagreement costs are specifically authorized by FHWA;
  - (2) documentation is available to support the costs; and
  - (3) the State will meet the maintenance of effort requirement.
- d. The State lead agency, designated to be responsible under the provisions of 49 CFR 350.9 or 350.11, shall designate the official(s) responsible for submitting and certifying vouchers (PR-20), and the official(s) so designated shall submit his/her signature(s) to the FHWA division office.
- e. The Program Manager shall document reviews, evaluations, or other similar actions in the fiscal files which affect the eligibility of costs incurred for reimbursement. Any actions which result in suspensions, disallowance of costs, or other adjustments in amounts claimed shall be fully documented.
- f. A progress voucher represents a State's claim for costs incurred on an active project during a specific period of time. In preparing a progress voucher, all eligible participating costs incurred by the State during the period

shall be included on the PR-20 and submitted to the FHWA division office in an original and one copy.

- g. The PR-20 shall be signed by an authorized State official whose designation and signature is on file with the division office and approved by the FHWA Administrative Manager for transmission for payment through the Federal-aid payments system.

h. Final Vouchers

- (1) A final voucher represents the final claim and shall be submitted by a State to the FHWA within 90 days after the project is completed. The final voucher shows all project costs incurred, amount of Federal funds due on the project, previous Federal reimbursements, amount currently due, and a summary of project costs on the reverse side of PR-20. The final summary of project costs shall contain, at a minimum, the types of costs incurred which are summarized by the primary functions performed under the MCSAP.
- (2) The Regional Director shall review the final voucher, document the files in accordance with paragraph 9e of this chapter, and note on the voucher his/her concurrence in the final costs claimed. The State shall be advised of questioned or ineligible costs, if any, and afforded the opportunity to furnish additional data or documentation within 30 days to support costs which were not allowed. After concurrence by the Regional Director, the Administrative Manager shall approve the final voucher for payment.
- (3) After final payment by FHWA, any unexpended obligation shall be returned to FHWA and may be reallocated to other States by the Washington Headquarters. The FHWA shall advise the Program Manager that funds are being deallocated. The Program Manager will then advise the State of funds being deallocated.



i. Record Systems

- (1) State record systems and requirements for maintaining documentation concerned with the MCSAP shall meet the applicable requirements of Federal and State laws and regulations, establish a sound basis for auditing the State program, and be consistent with generally accepted records management and accounting practices.
- (2) Records pertaining to the MCSAP shall be retained in accordance with General Provision 4 of the grant agreement.
- (3) All records shall be available at reasonable times for inspection by any authorized representative of the Federal Government. The State shall furnish copies of records when requested by the authorized representative.





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

# Motor Carrier Safety Manual

---

Volume	4	MOTOR CARRIER SAFETY ASSISTANCE PROGRAM (MCSAP)
Chapter	2	MCSAP PREPROGRAM PLANNING REVIEW PROCESS

---

M 7000.6  
CHG. 1  
July 17, 1987

- Par. 1. Purpose  
2. Authority  
3. Definitions  
4. Roles/Responsibilities  
5. Procedures  
6. Products

1. PURPOSE. The purpose of this document is to provide procedures through which States will be provided information concerning the Motor Carrier Safety Assistance Program (MCSAP), its requirements, and approaches that may be used in meeting the requirements.

2. AUTHORITY

- a. Sections 401-404 STAA OF 1982 (49 U.S.C. App. §§ 2301-2304 (1982 and Supplement III 1985)), as amended by Section 12014 of the CMVSA of 1986 (P.L. 99-570).
- b. Title 49 (Transportation), Code of Federal Regulations, Part 350 (49 CFR 350) MCSAP.

3. DEFINITIONS

- a. Development Grant Application. A written application for Federal funding for entry into the development phase of the MCSAP. The application must include assurances that required actions will be taken and that the effort to be expended in the development phase will prepare the State for MCSAP implementation.

- b. Development Plan. A detailed description of actions that the State plans to take to prepare them for MCSAP implementation. A development plan is a key element of a development grant application.
- c. Implementation Grant Application. A written application for Federal funding for entry into the implementation phase of the MCSAP. An implementation grant application must include the following elements:
  - (1) State Enforcement Plan (SEP). A description of actions planned by a State in implementing MCSAP, including a detailed identification of commercial motor carrier safety problems and the use of resources in the resolution(s). The SEP must include the following:
    - (a) Self-Evaluation Plan. A plan developed by a State to assess the effectiveness of its MCSAP efforts.
    - (b) Short-Term Plan. A State plan of action for carrying out a motor carrier safety program for the year immediately following SEP submission.
    - (c) Medium-Term Plan. A State plan of action for carrying out a motor carrier safety program covering a period from 2 to 4 years from SEP submission.
    - (d) Long-Term Plan. A State plan of action for carrying out a motor carrier safety program covering a period of 5 years beyond SEP submission.
  - (2) Certification of Compliance. A completed form in which the State certifies that it will meet the requirements of the grant.
  - (3) Declaration of Knowledge. A statement (usually pre-printed) attesting to the vehicle registrant's knowledge of the

applicable Federal and State safety rules, regulations, standards, and orders.

- (4) Right-of-Entry. The legal authority given to State motor carrier safety enforcement staff to enter motor carrier grounds, facilities, and/or equipment in performance of assigned commercial motor vehicle inspection and enforcement responsibilities.
- (5) Maintenance of Effort. An agreement that the State will maintain the level of effort that was expended in the last 2 full fiscal years prior to January 6, 1983, in motor carrier safety activities and that it will apply MCSAP funds to expansion of motor carrier safety activities beyond that level.

#### 4. ROLES/RESPONSIBILITIES

- a. Washington Headquarters. The primary role of Washington Headquarters is to provide program direction and policy guidance and interpretation concerning MCSAP regulations and requirements. In this capacity, the Washington Headquarters is responsible for providing guidance, technical expertise, advice and assistance as requested in the preprogram planning process.
- b. Regional Directors of Motor Carrier Safety. The role of the Regional Directors in the preprogram planning review process is to provide direction to the Officers-in-Charge (OICs) and guidance for the States in the MCSAP. While the Regional Directors are responsible for the following duties, they may be performed by the State Programs Coordinator:
  - (1) Providing guidance to the OICs in interpreting regulations and procedures as they pertain to MCSAP activities.

(2) Monitoring and participating in, as appropriate, the MCSAP preprogram planning review activities of the OICs.

(3) Reviewing and, with the advice of the Washington Headquarters, approving/disapproving all SEPs and grant applications within the region.

c. Officers-in-Charge. The role of the OICs as Program Managers is to administer the MCSAP in their respective States, including preprogram planning reviews. An important function of the OICs in the preprogram planning review process is to assist the State in developing an SEP that reflects short-, medium-, and long-term plans which are consistent with FHWA program objectives. Specific responsibilities include:

(1) Serving as the point of contact with a State in MCSAP matters.

(2) Providing interpretations and explanations concerning the FMCSR, HMR, the National Uniform Driver-Vehicle Inspection Manual, and program emphasis areas.

(3) Providing information concerning MCSAP to the States that will assist them in establishing the relative roles of the various State agencies involved in MCSAP and in producing acceptable MCSAP grant applications.

d. States. The role of the States in the MCSAP preprogram planning review process is to assess State needs, identify agencies to be involved, and develop goals for addressing these needs through participation in MCSAP. Through interaction with the OIC, this information is reconciled with national motor carrier safety goals and objectives and serves as the basis for the grant application and the development plan or SEP.

5. PROCEDURES. Although the preprogram planning review process must be tailored to suit the circumstances of the individual State, the

following general procedures provide a framework of key elements to be considered in planning and carrying out the process.

a. Initial Preprogram Planning Contact. Initial preprogram planning contact should be regarded as the first substantive session or meeting with State personnel in which the development of a grant application and/or an SEP is the primary objective. The preprogram planning review process takes place between initial contact and the ultimate production of the grant application and/or the SEP.

(1) Timing. Initial contact between the OIC and the State MCSAP Manager shall occur at least 90 days prior to the grant application and/or SEP deadline, although a much longer lead time may be necessary in some cases.

(2) Initial Meeting. The initial contact is usually in the form of a meeting between the OIC and State personnel in which the following items are covered:

- (a) Presentation on MCSAP shall be made and information distributed.
- (b) For the development phase, requirements shall be reviewed for a development grant (49 CFR 350.9), grant application submission (49 CFR 350.19), and deadline for final application.
- (c) For the implementation phase, requirements shall be reviewed for SEP (e.g., 49 CFR 350.13), enforcement certification, funding commitment, and maintenance of effort agreement.
- (d) Agreement should be reached regarding the next step in developing the grant application and/or SEP.

- (e) Explanation of any revision of national program goals, special projects, or emphasis areas in the program for the ensuing year.

b. Follow-up Assistance. During and following the initial contact, the OIC shall work with the State to develop the strategy for accomplishing the actions necessary to produce an acceptable grant application. The assistance to be provided by the OIC in producing the grant application shall be tailored to the specific needs of the individual State depending on the nature of its MCSAP involvement. The following is a discussion of the types of assistance that might be provided by the OIC in each of the four different phases of State MCSAP involvement.

(1) Development Phase (Initial)

- (a) When the decision has been made by a State to enter the MCSAP development phase, the OIC shall work with the State MCSAP Manager, as appropriate, in meeting the requirements for a development grant application including, but not limited to, the following:

- 1 Development of a State annual plan for development, leading ultimately to the MCSAP Implementation Phase.
- 2 Development of a detailed breakdown of total development phase costs.
- 3 Estimate of the projected date of entry into the implementation phase.
- 4 Designation of State lead agency.
- 5 Draft of an agreement to initiate necessary regulation/legislation to enforce MCSAP.



- (b) In addition, it also may be appropriate to provide advice to the State in meeting the requirements of the State Certification, and in preparing the development grant application.
- (2) Development Phase (Second or Third Year).  
If the State is going into the second or third year of the development phase, the role of the OIC is to assist the State, as requested, in updating each of the items required for entry into the initial development grant application, and in revising and resubmitting the development grant application.
- (3) Implementation Phase (Initial Year).  
Entry into the initial year of the implementation phase typically requires the most preparatory action on the part of the State, resulting in the greatest need for assistance from the OIC. Assistance from the OIC in the following areas may prove particularly beneficial, depending on the circumstances in the individual State.
  - (a) Legislative Needs. Assistance that may be provided to the State in meeting MCSAP legislative requirements includes explaining the requirements, assessing existing legislation, and working with the States to develop a plan for legislative requirements, including:
    - 1 State laws that adopt or are compatible with both the FMCSR and the HMR.
    - 2 Provision for right-of-entry.
    - 3 Declaration-of-knowledge requirements.
    - 4 Inclusion of private, for-hire, and intrastate carriers under safety and inspection regulations.

(b) Financial Requirements. Assistance that may be provided by the OIC and/or Administrative Manager in meeting MCSAP financial requirements includes:

- 1 Assistance in documenting previous State expenditures in motor carrier safety in order to demonstrate that the same "level of maintenance of effort" shall be maintained by the State in the future.
- 2 Assistance in preparing a short-, medium-, and long-term plan.
- 3 Assistance in preparing a detailed listing of existing resources.
- 4 Assistance in preparing a breakdown of projected costs for the proposed program, detailing the portion to be funded by the State and the portion to be funded under MCSAP.

(c) Documentation Requirements. The OIC can be of assistance to the State in meeting MCSAP documentation requirements (as stipulated in 49 CFR 350.13, Appendix A) and developing the grant application by explaining the requirements and assisting, as appropriate, in the formulation of the required items.

(4) Continuing Implementation. The OIC shall work with the State in the preparation of the self-evaluation report (49 CFR 350, Appendix A) and, for those States continuing beyond the initial implementation year, shall provide assistance in assessing prior accomplishments, setting future goals, and updating the SEP for the coming year.

- c. Development of Plan of Action. If circumstances indicate that the development of a plan of action by the State would be beneficial, the OIC shall work with the State in developing such a plan. It shall clearly and concisely detail the intentions of the State regarding the fulfillment of MCSAP development or implementation phase requirements by delineating a series of actions that would culminate in the production of a draft grant application. The OIC, in order to monitor progress of the State in developing the grant application, shall be knowledgeable of the progress and maintain frequent contact.
6. PRODUCTS. The end products of the preprogram planning review process are as follows:
- a. Development Phase
    - (1) Development plan; and
    - (2) Development grant application.
  - b. Implementation Phase
    - (1) State Enforcement Plan, including:
      - (a) An assessment of the State's current motor carrier safety program;
      - (b) Short-, medium-, and long-term plans for MCSAP;
      - (c) Detailed implementation plan;
      - (d) Evaluation plan; and
    - (2) Implementation grant application.

